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**Council of the Original Miccosukee Simanolee Nation
Aboriginal Peoples
May 28, 2013**

Letter sent by fax 5/28/13 – 1-239-695-0416

Pedro Ramos
Superintendent
Bob DeGross
Chief of Interpretation and Public Affairs
Big Cypress National Preserve
33100 Tamiami Trail East
Ochopee, Florida 34141-2000

Ref: Big Cypress National Preserve ORV Advisory Committee Meeting, 5-29-2013.

It is our Ceremonial time, so we cannot attend this meeting, at this time, that is of great concern to us. We are sending our Statement concerning this meeting, which we request to be distributed to all of the ORV Advisory Committee members. Additionally we request to be briefed on the feasibility study currently underway by RTCA office of the National Park Service.

We think, and we know the People, that call themselves U.S. Americans under the flag of the United States, and who all pledge to the flag:

"I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one Nation under God, indivisible with liberty and justice for all".

That is what you stand on under one Nation, and we made an **Agreement** between our Nation and that Nation. Since then we still hold on to that **Agreement**. We prove ourselves, what we said at that time, but on your side, it seems you do not honor United States American people's pledge of allegiance to the flag. It doesn't seem like it really means anything to you all. You all stand up and say the pledge of allegiance to the flag at every meeting. Soon as you sit down, you forget what you have just said, and you all start lying and not telling the truth to each other, and you separate yourselves calling yourselves Big Cypress National Preserve employees Everglades National Park employees, Water Management employees, Army Corps of Engineers employees, Department of Transportation employees, county employees, state employees, federal employees, law enforcement employees, fish and wild life employees, and all the rest.

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We do not, we still hold onto our **Agreement** and we are not going to change it. And we are going to keep trying to make you understand, what you all came up with at that time, between us, makes it illegal to build anything on our Land. It is illegal to even suggest or even speak about things you are planning on our Land, and all people under the flag - "liberty and justice for all" are liable, which means: you might start making payments for living on our Land and for the damage you have done to our Land. Which means: damage to Natural Lands, Natural Systems, Wildlife and Sacred Areas by building houses, cities, roads, trails, bikeways, preserve and park facilities: welcome centers, viewing stations, boat ramps, campgrounds, bathrooms, and all the rest, oil drilling, gas and electrical lines, canals, dikes, bridges, and all the rest.

We object to any decisions made by the ORVAC or BCNP staff at the meeting on May 29, 2013. Any decision made will be an illegal decision.

"The Simanolee Nation entered into an Executive **Agreement** with the United States in 1842 which guaranteed and recognized **Simanolee title** to about 5 million acres in South Florida. The **Agreement** was confirmed by executive order of the President in 1845, and has never been repudiated nor terminated by the United States or the Simanolee Nation, and it is still in effect. The Council of the Original Miccosukee Simanolee Nation Aboriginal Peoples is the same entity that entered into the 1842 **Agreement**. Other Seminole groups have split off from the original Simanolee Nation to form governments under the Indian reorganization act in 1957 and 1961, and to move to federal and state reservations."

See enclosures.

cc: Everglades National Park, South Florida Water Management District, Army Corps of Engineers, Department of Transportation, Fish and Wild Life Service, Breitburn Energy, Linda Lampl, Jim Miller, Ross Morrell, Lee County Electric Cooperative and River of Grass Greenway.

The United Nations Declaration on the Rights of Indigenous Peoples

The United Nations Declaration on the Rights of Indigenous Peoples recognizes Indigenous Peoples and the urgent need to Respect and Protect the Inherent Rights of Indigenous Peoples which derive from their politics, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their Lands, territories and resources and Promotes the Rights of Indigenous Peoples affirmed in treaties, agreements and other constructive arrangements with States and recognizes that control by Indigenous Peoples over development affecting Them and their Lands and Resources will enable them to maintain and strengthen their institutions, cultures and traditions and to promote their development in accordance with their aspirations and needs.

Aboriginal Indigenous Peoples that follow the Natural Laws created into the Aboriginal Indigenous Peoples by the Creator (God) Himself at the beginning of the Creation of Life were born into and have Rights that go way beyond these words created by the United Nations Declaration on the Rights of Indigenous Peoples. This Declaration is considered a "minimum standard" for non-indigenous people to begin working towards fulfilling their obligation to Aboriginal Indigenous Peoples.

Aboriginal Indigenous Peoples will continue to Defend the Future of Life against your attacks on their Way of Life, and the Natural World: the Sunlight, the Water, the Air, the Land, the Trees, the Birds, the Animals, the Fish, the Insects, and all that is Sacred to us, as our Elders have done since the illegal, aggressive and brutal immigration of the European Americans, and the other immigrants into our Aboriginal Indigenous Land.

The Creator (God) Himself gave us the Rights to live in His Creation. The Creator (God) Himself created the Original Aboriginal Indigenous Peoples into the Land at the beginning of the Creation of Life and the Creator (God) created into the Aboriginal Indigenous Peoples the Natural Law at the beginning of the Creation of Life.

The Creator's Gift is in us, which is: Our Way of Life and the Natural Law and all His Creation, which is: The Air, the Water, the Trees, the Plants, the Animals, the Fish, the Birds, the Reptiles, the Insects, and all the others, and for that reason we cannot accept other peoples' way of life or their man-made laws.

Council of the Original Miccosukee Simanolee Nation Aboriginal Peoples

<u>Bobby C. Billie</u>	<u>Lafayette M. Osceola</u>
	NE-NE-HA-CEE
<u>Cecil Osceola</u>	<u>Richard Osceola</u>
<u>Vernon L. Osceola</u>	
<u>Victor Billie</u>	<u>Frank Billie Jr</u>

Contact Mailing Address: P.O. Box 1452, Lake Placid, Florida 33862

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TERRITORIAL PAPERS

[Endorsed] Hon^e Jas: Shields General Land Office May 20/45
Has directed the strip of land 20 miles wide around Dist set apart
for Seminoles in Flo. to be reserved from Survey & sale. Returns
papers Copy sent to Brig Genl Worth with letter dated May 28.
1845.²⁰ L.T. May. 24. 1845 146 149 C 1845. L 82. Rec May 24/45
Adj't Genl.

JAMES SHIELDS TO VALENTINE Y. CONWAY

[NA:GLO, Lets. to SG, x]

May 20th 1845—

V.Y. CONWAY Es Sur Genl St Augustine Florida—

SIR, I transmit herewith a "Map of the Seat of War in Florida",²¹
in which the boundaries of the District set a part for the use and
occupancy of the Seminoles, by Gen' Macomb in 1839, and Col
Worth in 1842, are indicated as nearly correct as possible by red
lines. Between these red lines, and those indicated in yellow on
the accompanying map, is a strip of land twenty miles wide, which
the President of the U. States on the 19th inst: directed should be re-
served from survey and sale.²² You will not therefore, under any
circumstances, contract for the survey of the lands within this reserva-
tion, and if any of the contracts now in process of execution, or any
part of them, are within these limits, you will direct the parties to
close their labors within this reservation as speedily as possible,
and if any surveys have been made within it since those of Mess^{rs}
Reed, Randolph and Whitner, under their contracts of 1842, you
will not return the plats to the Land Offices.²³

Very respectfully Your obt svt

JA^s SHIELDS Commissioner

JAMES SHIELDS TO SAMUEL RUSSELL AND JOHN PARSONS

[NA:GLO, Lets. to Regs. and Recs., Bk. 19]

May 20th 1845.

REGISTER & RECEIVER, Newnansville, Florida.

GENTLEMEN, The President of the United States on the 19th
instant directed that a Strip of the public lands twenty miles in
width, around the District set apart for the use and occupancy of

²⁰ Post, p. 1078.²¹ Not present.²² Cf. ante, p. 1076.²³ Answered June 2, 1845 (NA:GLO, Lets. from SG, Fla.), that the instructions
will be followed.

FLORIDA TERRITORY

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the Seminoles shall be reserved from survey and sale. The boundaries of this reservation are indicated by yellow lines on the accompanying diagram, and do not include any of the lands in your District embraced by the recent Proclamation of the President. Under no circumstances will you permit any sale or entry of any kind of the lands embraced within the lines of this reservation.

Very respectfully Your Ob^d Serv^t

JA^s SHIELDS Commissioner

FLORIDA TERRITORY

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terests of the service, and supposed necessities of the case—The Map of 1839, prepared by Lieutenant Blake and other officers, is accurate—There is another material inaccuracy in tracing the line which I granted the Indians in 1842—a departure from the text follows the north, instead of the south branch of Pease-Creek—see text and map herewith—I have caused the new or exterior line, to be traced on the latter, which is submitted for your examination, by which the serious errors will be manifest. I would respectfully suggest that the subject be promptly brought to the notice of the Commissioner of the General Land Office who will probably be able to obtain copies of the latter map at the Topographical bureau, cause the lines to be retraced thereon, and Substituted for such as may have been sent to you and the Land office in Florida: As drawn on the map of 1839, it is believed not to interfere with any settlers already located.

Very respectfully your obedient servant,

(Signed) W. J. WORTH, Brigadier General Commanding.

DOCTOR V. Y. CONWAY, Surveyor General of Florida,

A true Copy. (Signed) J. T. SPRAGUE, Capt. A. D. C. & A. A. A. General.

[Endorsed] Hd. Qrs. 9th Military Department, St. Augustine, Flo., June 8d, 1845, W. J. Worth, Brig. Gen. Comd'g. to Doctor V. Y. Conway, Surveyor General of Florida. Copy for Commissioner of the General Land Office. Respectfully furnished. R. Jones Adj. Gnl. A. G. Office, Wash., June 18 1845.

Order No. 27 re Indian boundary line

Copy

Head Quarters Military Department N° 9.

Order N° 27

CEDAR KEYS August 11th 1842

By arrangement with the few Indians remaining in the southern portion of Florida between whom and the whites hostilities no longer exist, they are permitted for a while to plant and hunt on the lands included within the following boundaries, to wit; from the mouth of "Talakchop-ko" or "Pease Creek" up the left bank of that stream to the fork of the Southern branch, and following that branch to the head or northern edge of "Lake Istokpoga;" thence down the eastern margin of that Lake to the stream which empties from it into the "Kissimmee" river, following the left banks of said stream and river to where the latter empties into "Lake Okechobee;" thence due south through said lake and the Everglades to Shark river, following the right bank of that river to the Gulf; thence along the Gulf shore to the place of beginning, excluding all islands lying between "Punta Rassa" and the head of Charlotte Harbour. Within the boundaries thus described no settlements can with safety or propriety be formed,

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and any persons making settlements within those limits will be subjected to removal, in conformity with the laws in reference to Indians and their places of residence.

The foregoing temporary arrangement being in conformity with the instructions of the President of the United States, is communicated for the information of all whom it may concern.

By order of Colonel Worth

(Signed) S. COOPER, Assistant Adjutant General

A true Copy J T SPRAGUE Capt A. D. C & A. A. G.

[Endorsed] (Copy) Order N° 27 H° Q° Military Dept. N° 9.
Copy for V Y Conway Esq' Surveyor Gen' of Florida J T Sprague
Capt A. D. C. & A. A. A. G. H° Q° St Augustine F° June 8° 46